

**R-E-M-A-R-K-S**

Claims 1-22 remain pending in the present application.

Claims 1 and 12 are hereby amended to overcome claim rejections.

More specifically, claims 1 and 12 are amended to add the limitation "determining and changing a state associated with said data element for each of said executing of said transaction requests, said state stored in said shared medium controller". Support for this subject matter can be found in at least paragraphs [041] to [054] of the original specification.

Furthermore, in response to the Examiner's comment whereby the claims "merely require at least one of reading and writing a data element...", the Applicant amends claims 1 and 12 such that they read "receiving at a shared medium controller, and from multiple clients (or from said plurality of client computers working on a same task), transaction requests, each of said transaction requests being for at least one of reading and writing a data element on said shared medium (or on said shared storage medium)". Hence, a plurality of read and write requests is required.

In response to the Examiner's objection to the disclosure stated at point 6 of the Office Action, the Applicant amends paragraph [001] of the specification to update the status of a related application.

In response to the objections to the drawings, the Applicant resubmits amended Fig. 1, which now introduces a "Prior Art" label. The amended drawing page now complies with 37 CFR 1.121.

Further in response to the Examiner's statement at point 7 of the Office Action, whereby Figures 1 and 2 seem to contain the same elements, the Applicant wishes to stress the fact that Fig. 1 and Fig. 2 are different since Fig. 2 does not illustrate an MDC (Meta-data controller or lock manager).

No new subject matter is added by the present amendment

Rejection of claims 1, 6, 12, and 17 under 35 U.S.C. 102(b) in view of DeRoo (U.S. 6,182,196)

For anticipation under 35 U.S.C. § 102, the reference "must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present." (MPEP §706.02). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Concerning the anticipation rejections of claims 1 and 12, the Examiner states that DeRoo discloses all the subject matter as claimed.

In response, the Applicant amends independent claims 1 and 12 and submits that DeRoo does not disclose the subject matter as presently claimed. DeRoo simply teaches serializing memory requests upon the detection of a memory access collision.

The Applicant respectfully submits that DeRoo does not anticipate independent claims 1 and 12 because the prior art does not teach every aspect of the claimed invention either explicitly or impliedly. More specifically, DeRoo does not teach at least "determining and changing a state associated with said data element for each of said executing of said transaction requests, said state stored in said shared medium controller."

DeRoo does not either suggest the claimed invention, nor motivate a person skilled in the art to derive the subject matter as claimed in amended claims 1 and 12. Hence, claims 1 and 12 are non-obvious in light of DeRoo. Withdrawal of the rejections directed to claims 1 and 12 is respectively requested.

The foregoing arguments also apply in response to the anticipation rejections directed to claims 6 and 17, which are dependent on claims 1 and 12 respectively. The Applicant therefore submits that claims 1, 6, 12 and 17 are novel and non-obvious.

Rejection of claims 2-5, 7-11, 13-16, and 18-22 under 35 U.S.C. 103 in view of DeRoo (U.S. 6,182,196)

The Examiner alleges that "DeRoo does not specifically show checking whether a version state associated with said data element is locked." The Examiner adds that "it is notoriously well known in the art for shared data to be associated with different version states".

In response, the Applicant would like to point out that version states associated with a data element are not disclosed in DeRoo. DeRoo also does not suggest using a state of a memory block in order to manage memory access collisions. Therefore, it would not have been obvious for one of ordinary skill in the art to directly arrive at the claimed features using the teachings of DeRoo.

Due to claim dependencies, and in light of the above arguments, the Applicant believes that all further rejections directed to claims 2-5, 7-11, 13-16, and 18-22 under 35 U.S.C. §103 with respect to DeRoo are moot.

In view of the foregoing arguments, reconsideration of the rejections and objections of claims 1-22 is respectfully requested. The Applicant believes that claims 1-22 are allowable over the prior art, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,  
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Encls: "Replacement Sheet" Figure 1.